

## **REMARKS**

### ***Pending Claims***

Claims 48-49 and 61-63 are currently pending. In accordance with the Examiner's indication of allowability, claims 48 and 61-62 have been rewritten as independent claims, including the respective base and intervening claims. No new matter is added.

The remaining claims, including claims 1-47, 50-60, and 64-77, are canceled. Applicant reserves the right to file one or more of the canceled claims in a subsequent continuation or divisional application.

### ***Rejections Under 35 U.S.C. § 112, Second Paragraph***

Claims 43, 73, and 74 stand rejected under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter that the Applicants regard as the invention, in particular the Examiner argues that certain elements in the claims lack antecedent basis. However, in view of the amendments presented herein, Applicants respectfully submit that the rejections have been rendered moot and request that the rejections be reconsidered and withdrawn.

### ***Allowable Subject Matter***

The Examiner has indicated that claims 48-51, 61-63, and 71-72 contain patentable subject matter and would be allowable if rewritten in independent form, including all of the elements of the base claim and any intervening claims. Applicants gratefully acknowledge the Examiner's recognition of the allowability of these claims. Without conceding the rejections and solely to advance prosecution, Applicants have rewritten claims 48, 61, and 62 as independent claims including the respective base and intervening claims. Applicants respectfully submit that, in light of the arguments and amendments submitted herewith, all of the pending claims are allowable.

***Rejections Under 35 U.S.C. § 102***

Claims 38, 40, 41, 42, 53, 54, 56, 64, 65, and 66 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Maeda et al. (JP2001308273). However, in view of the amendments presented herein, Applicants respectfully submit that the rejections have been rendered moot and request that the rejections be reconsidered and withdrawn.

***Rejections Under 35 U.S.C. § 103***

Claim 39 stands rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Maeda et al. in view of Srinivasan et al. (US Publ. No. 2004/0185183). Claims 43, 44, 73, and 74 stand rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Maeda et al. in view of Onuma et al. (US Publ. No. 2002/0050626). Claims 46, 47, 53, and 54 stand rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Maeda et al. in view of Onuma et al. However, in view of the arguments presented herein, Applicants respectfully submit that the rejections have been rendered moot and request that the rejections be reconsidered and withdrawn.

### **CONCLUSION**

In view of the remarks and amendments presented herein, reconsideration and withdrawal of the pending rejections and allowance of the claims are respectfully requested. The Examiner is strongly encouraged to contact the undersigned at the phone number below should any issues remain with respect to the application.

Respectfully submitted,

MICHAEL BEST & FRIEDRICH LLP

/thomas j. keating/

By:

Thomas J. Keating, Reg. No. 59,110  
Tel.: 608-257-3501

Martin L. Stern, Reg. No. 28,911  
Tel.: 312-661-2121

Dated: November 25, 2009

**Docket: 201558-9001**

Michael Best & Friedrich LLP  
Two Prudential Plaza  
180 North Stetson Avenue, Suite 2000  
Chicago, Illinois 60601  
312.222.0800